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Attorney Docket No: FA/262

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Franz Haimerl

Serial No.: 10/540,963

Filed:

June 28, 2005

For: Waterproof Footwear with Elastic

Connecting Band

Commissioner for Patents P. O. Box 1450

Alexandria, VA-22313-1450

Group Art Unit:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA

22313-1450.

Susan H. Dunbar

September 22, 2005 (date of mailing document)

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above-identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

Copies of the non-U.S. references listed on the attached Form PTO-1449 are enclosed herewith.

Respectfully submitted.

Kevin J. Boland, 36,090 W. L. Gore & Associates, Inc. 551 Paper Mill Road P.O. Box 9206 Newark. DE 19714-9206

(302) 738-4880

Date: September 22, 2005





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LETTER OF TRANSMITTAL

Dear Sir:

We enclose the following papers for filing in the U. S. Patent and Trademark Office in connection with the above-identified Patent Application:

- Copy of English translation of International Preliminary Examination Report PCT/EP 03/14945:
- 2. Information Disclosure Statement (1 page);
- 3. Information Disclosure Citation (6 pages);
- 4. References (4); and
- Certified Priority Document DE10300012.7.

THE COMMISSIONER IS HEREBY AUTHORIZED AND IS REQUESTED TO CHARGE ALL FILING FEES DUE UNDER 37 C.F.R. §1.16 AND ALL OTHER FEES DUE UNDER SECTION 1.17 DURING THE PENDENCY OF THIS APPLICATION TO OUR DEPOSIT ACCOUNT NO. 07-1729

Respectfully submitted.

Kevin J. Boland, 36,090 W. L. Gore & Associates, Inc. 551 Paper Mill Road

P.O. Box 9206 Newark, DE 19714-9206 (302) 738-4880

Date: September 22, 2005

OIPE ATTY DOCKET NO. APPLICATION NO. 10/540963 FA/262 INFORMATION DISCLOSURE CITATION APPLICANT(S) (Use several sheets if necessary) Franz Haimerl SEP 2 6 2005 FILING DATE GROUP ART UNIT June 28, 2005 U.S. PATENT DOCUMENTS FILING DATE *EXAMINER NAME CLASS SUBCLASS DOCUMENT NUMBER DATE INITIAL IF APPROPRIATE /S.P./ 5,329,807 07/19/1994 Sugar et al. 73 40 4.725,418 02/16/1988 Friemel et al. 423 305 /S.P./ 01/15/1985 Vrouenraets et al. 428 245 /S.P./ 4.493.870 288 3,953,566 04/27/1976 Gore 264 /S.P./ 4.187.390 02/05/1980 Core 174 102 R (S.P.) U.S. PATENT APPLICATION PUBLICATIONS FILING DATE "EXAMINER SURCIASS DOCUMENT NUMBER DATE MAME CLASS IF APPROPRIATE INITIAL 05/09/2002 2002/0053148 A1 Haimerl 36 55 IS P / FOREIGN PATENT DOCUMENTS SUBCLASS TRANSLATION DOCUMENT NUMBER CLASS DATE COUNTRY YES NO EP 0 298 360 B1 03/09/1994 EPO /S.P./ WO 03/070041 A 08/28/2003 PCT SP/ 08/23/2001 Germany DE 100 03 677 C1 /S.P./ DE 296 01 600 U1 04/04/1996 Germany /S.P./ OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) English translation of International Search Report PCT/EP 03/14945 DATE CONSIDERED **EXAMINER** /Sharon Prange/ 03/12/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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MADE			U.S	S. PATENT DOCUMENTS					
*EXAMINER		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS FILING DATE IF APPROPRIATE			
/S.P./		4,194,041	03/18/1980	Gore et al.	428	315			
/S.P./		5,433,021	07/18/1995	Mahler	36	12			
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			U.S. PATE	NT APPLICATION PUBLICATIONS					
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			FORE	IGN PATENT DOCUMENTS					
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		OTHER DOCUME	ENTS (Includin	g Author, Title, Date, Pertinen	t Pages, Etc.)				
EXAMINER /Sharon Prange/			DATE CONSIDERED	03/12/2010					
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P09C/REV04 Form PTO-A820 (also form PTO-1449)